P14

C.F. 71.

19 3

Department of Land Rev

OFFICE Board of Rev

STATION Madras

Mis No. 203

E6781.

Dated 6-1-37

Pages 21 the file

(SUBJECT.)

Buildings - grant (Bellary) - Inspection Assistant Kamalapuram - Rate of rent - Levy - instructions issued

C.F.34. ENDORSEMENT

PROCEEDINGS OF THE Offg. Superintending Engineer, Madras Circle.

MEMORANDUM

Post Box No. — *Telegraphic Address.*

Name C.G.Barber Esq., B.I.E., M.B.E., A.C.G.I.

No. 3571-G, *dated* 3 — 11 — *1936*

365.3.

Short title Inspection Bungalow, Kambakkam - Scale of fees recoverable from non-official visitors - information furnished.

READ the following —

From the Executive Engineer, Bellary Division. letter No.1595 SE dated 23-10-1936.

Copy forwarded to the Chief Engineer, P.W.D., General Buildings and Roads for favour of orders in continuation of this office No.3374 G dated 15-10-1936.

2. It seems to me that the Collector should have the higher fee under rule 5 of the Inspection bungalow rules, particularly for private individuals, though the necessity for any such distinction is not apparent.

3/11/36

for Supg.Engineer, Madras Circle.

4/11/36

A.P.2/11.

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Copy of letter No.1595 SE dated 23-10-1936 from H.S.Taylor Esq., Executive Engineer, Bellary Division, to the Supg.Engineer, Madras Circle.

Sub.- Inspection Bungalow, Kamalapur - Scale of fees recoverable from non-official visitors - information furnished.

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Reference.- Your No.3374 - G dated 15th October 1936.

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In G.O.No.1119-W dated 18-5-1906, orders were issued to the Collectors to classify the Inspection Bungalows as I & II Class and fix the standard rate of fees, empowering the Collectors to charge higher fees temporarily or permanently.

Under the powers vested in the above G.O. the Collector of Bellary under date 4-12-1909, had classified all the Inspection Bungalows within the District and fixed the rates of fees for each bungalow according to the class except in the case of Inspection Bungalow, Kamalapur for which a fee of Rs.1-8-0 per day was fixed for each person other than Government officials on duty and a fee of Re.1/- per day in the case of a Govt. officials on duty. Copy of the rules is herewith enclosed for information.

All the rules issued previously in connection with the occupation of the Inspection Bungalows have been superseded by the rules incorporated in Appendix VI 'A' & 'B' of the M.P.W.D. Code wherein a special reference to the occupation of Inspection Bungalow, Kamalapur by any persons is given under Note 1, rule 2 where no mention is made regarding the enhanced rate of fee chargeable to private individuals. It is doubtful whether the Collector can be taken as having been empowered to revise the rates for occupation of this Inspection Bungalow by a particular set or class of individuals under Clause 5 of the rules embodied in the Code as they refer to an increase in the rates in general and not in particular cases of occupation alone. No Government orders are traceable in records in support of this enhanced rate for private individuals.

RULES REGARDING THE OCCUPATION OF INSPECTION BUNGALOWS IN THE BELLARY DT.

Inspection bungalows are under the charge of the Executive Engineer, of the Bellary Division, but their use is subject to the control of the Collector of Bellary.

2. In case of emergency which render it imperatively necessary that accommodation should be reserved for officers of the Public Works Department, the Collector may, in consultation with the Superintending Engineer, accord a preferential right to the use of the bungalow to Public Works Officers as a temporary arrangement. Subject to this limitation, all Gazetted Officers shall have the right to use the bungalows; but the Collector in concurrence with the Superintending Engineer, may forbid any such officer the use of the bungalows if it is shown that he has used them improperly. Non-gazetted officers may not use the bungalows unless they have special permission from the Collector. Members of the general public may use the bungalows, but the Collector, after consulting the Superintending Engineer, may reserve them for the use of the Govt. officers either temporarily or permanently.

3. Gazetted officers may occupy the bungalows without limit of time to the exclusion to non-gazetted officers and members of the general public; non-gazetted officers have a similar privilege as against non-officials. A member of the general public may be required to vacate after 24 hours' occupation in favour of another member and after 6 hours occupation in favour of any Government officer. A non-gazetted officer may be required to vacate after 24 hours' occupation in favour of another non-gazetted officer and after six hours' occupation in favour of a gazetted officer. A gazetted officer may be required to vacate in favour of another gazetted officer after 24 hours' notice.

4. All persons occupying the bungalows will be charged fees at the following rates for each day:-

Name of Bungalow.	Class.	For single person.	For married couple.
1. Hospet.	1st class.	1-0-0	1-8-0
2. Kottur.	-do-	1-0-0	1-8-0
3. Daroji	-do-	1-0-0	1-8-0
4. Hadagalli.	-do-	1-0-0	1-8-0
5. Dasanur or Siruguppa	2nd class.	0-8-0	0-12-0
6. Rayadrug.	-do-	0-8-0	0-12-0
7. Kampli	-do-	0-8-0	0-12-0
8. Kudligi	-do-	0-8-0	0-12-0
9. Ballahunisi	-do-	0-8-0	0-12-0
10. Kamalapur*.	1st class.	1-8-0	2-4-0

	for single person	for married couple.
(The rent in the case of Govt.officials on duty.	1-0-0	1-8-0

(Higher rate will be charged only to visitors from outside the Dt).

(i) A day's fee will be charged for an occupation of 24 hrs or less.

(ii) Half the fee levied for the use of an inspection bungalow will be charged for pitching tents in the compound of the building. An officer occupying a bungalow has a prior claim to the use of the outhouses and stables attached to the bungalows. Subjects to this condition they are available witnout further charges for the use of the officers occupying tents in the compound.

(iii) In cases where an officer sends his saman in advance with the object of occupying a bungalow or of pitching tents in the compound or vacates the bungalow before his camp equipment is moved, rent will be charged for the days the officer actually stays.

5. The Collector of Bellary is authorised to charge higher fees whether temporarily or permanently for special reasons.

6. A book shall be kept at the bungalow in which all persons stopping there shall be required to enter their names, time of arrival and departure and the fees due and paid.

7. All persons occupying the bungalows shall be responsible for any damage they or their servants or followers may cause to the buildings or to the fittings.

8. All officers, subordinate and members of the general public occupying a bungalow are required to pay without fail the rent due before they vacate the bungalow. Any case of failure on their part in this respect will be brought to the notice of the Executive Engineer and if necessary to that of the Collector.

9. Occupation of a bungalow by an officer or married couple shall only give exclusive right of occupation of one set of rooms.

10. Any laxity on the part of the inspection bungalow watcher should be noted in the book that is maintained in the bungalow.

11. A copy of the rules is to be hung in each bungalow.

7

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT :— Buildings - govt (Bellary) Inspection bungalows - Rate of rent - Higher rate for non govt officials

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____.

READ *ALSO* :—

No. _____ From the _____, No. _____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution — Ms. / Rout. No. _____, dated _____ Ref E 67 F1-36-1d 30-11-36 19____.

The C.E. has brought to the notice of this Bd that in the case of the inspection bungalow at Kamalapuram in Bellary Dt the collr has fixed a higher rate of rent for occupation by persons other than govt officials on duty. The collr is requested to report the 'special reasons' for charging higher rate of rent to a particular set or class of individuals under rule 5 of the rules for the occupation of inspection bungalows in

PTO

Issue of new
Gos
30/11
in compliance with Ref 6th Inst

5 Dec

4

in the Ballarat pt

N
26/11 ne
WD 280/11
28/11

To the Clerk of Ballarat

C.F. 32.

Revenue. DEPARTMENT.

In reply, please quote number, date and short title.*

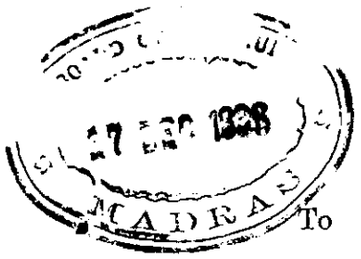
Received 9 *Registered* 5745

From (Name) A.G. Blake Esq.,I.C.S.,

(Designation) Collector of

Post Box ....., (STATION) Bellary.

Telegraphic Address .....



To

The Secretary to the Board of Revenue,

MADRAS.

Ref.C. *No.* 3324/36, *dated* 15-12-1936. *19*

Sir,

ENCLOSURES.....

.....

.....

SPARE COPIES.....

Buildings - Government P.W.D Inspection bungalow at Kamalapuram - levy of rent - higher rate for occupation by private parties - further report - submitted.

Board's M.6781/36-1 dated 30-11-1936.

In my letter Ref.C.3324/36 A7 dated 5-10-36 to the Superintending Engineer Madras, I have reported that the orders of the Collector, fixing a higher rate of rent, could not be traced in my office. It is therefore, not possible to report definitely the special reasons for charging the higher rate of rent.

The bungalow enjoys the special amenity of being adjacent to the Hampi ruins. These attract many visitors of means from all over India, and the higher rate appears to be justified as a matter of supply and demand.

16.12.36

For Collector.

RVJ/16.12.

Buildings - govt. (Bellary)
Inspection bungalows - Kamala-
puram - Rate of rent. Govt.
instructions issued

Dpt E 7457 —— Q

Res (mis) 208 dt 18.1.37

~~Sd/- E~~

The Board observes that there is no rule under which the collr can make a distinction between the govt officers and the public in the matter of ~~the~~ charging ~~rates of~~ rent for the occupation of ~~the~~ inspection bungalows ~~at Kamalapuram~~. The collr is therefore requested to fix ~~for the bungalow at Kamalapuram~~ a single set of rates applicable to both the govt officers and the public.

PV 14/1 WS 1/41

16.1.37

To the collr of Bellary.
copy to C E (B & R)

21/1/37

C.E's office A.B.R.

Inspection Bungalows - Rate of rent - higher rate for non-govt. officials.

—

C.No. 2504 dt/30: From the S.E. Madras Circle, No. 3571 Cy dated 3.11.36.

—

C.E.

Please see the S.E's letter on p 2 c/f. and the S.E's opinion in para 2 of his lett. on p 1 c/f.

2. It will be seen from the Rules relating to the occupation of the Inspection Bungalows in the Bellary Dist. issued by the Collector that a higher rate of rent is being charged in respect of the Inspection Bungalow at Kamalapuram, for persons other than Govt. officials on duty. Rules of the Rules applicable to the 'A' Class Bungalows in Appendix VI to the Madras P.W.D. Code empowers the Collector to charge higher rates, than those prescribed in Rule 4 of the Rules whether temporarily or permanently, for special reasons but not different rates for different Class of individuals.

Sneh

M. 374 c/f.

vide 'A' on p 4. c/f

Such as Govt. officials on duty and visitors from outside the Dt. The Collector cannot therefore, levy different rates as is being done now. The Govt view that the Collector can charge a higher rate under Rules particularly for private individuals is not correct. The remarks of the Board of Rev. may perhaps be invited u.o. on the points ~~raised by the Chief Engineer~~.

vide para 2 on p1 c/f.

Eb 7811

Secy. 11.11.36. C.E. 11.11.36

Secy 12.11.

Board of Revenue u.o

Chief Engineer (G. B. and R) J.O. 2504 Ac/36-1 12.11.36

5
1A

Buildings - govt - Inspection bungalows - Rate of rent - Higher rate for non-govt officials.

1 of

E 6781/36

F1A

Please see the Executive Engineer's letter at p 3 of and the S.E's endt at p 1 of the E's D.O note at pn 1-2 ante.

) the question now for consideration is whether the collr's order in fixing a higher rate of rent in respect of the inspection bungalow at Kamalapuram for occupation by persons other than govt officials on duty is in order. Rules for the occupation of ~~Dakbungalows~~ Inspection bungalows are laid down in appendix II to the Madras P.W.D code. According to rule 5 of the rules, the collr is competent to charge a higher rate of rent than that prescribed in rule 4 of the rules. But it does not contemplate the levy of one kind of rate for the govt officials on duty and ~~quite~~ a different kind of rate for visitors from outside the dt. The existing practice of levying different rates for different

class of individuals in respect of the inspection bungalow at Kandapalam does not seem to be in conformity with the rules and may be ordered to be stopped.

For orders.

PV
18/11/28
WD 17/11/28

S

I do not think this rule 5 can be construed to authorise Govt to charge higher fees to a particular class of visitor & it is doubtful whether such discrimination against visitors from outside the district is justified. (Except as a deterrent to stupid higher rate will have to abrogate!)

24/11

M 24/11 Both the "special reason" for doing this is. See terms of the Rule

SECY.
26 NOV 1928

26.11.28

1A

Fo 1A

Draft submitted

PV
26/11/28
WD 28/11

Ht 7-8 f Bds Ref E 6781-36-1 d 30-11-36
f 9 f E 7457

To IA

Ht 7-8 f Please see the Bd's reference E 6781-36-1 d 30-11-36
f 9 f and the coll's reply thereto.
f 9 f 2) the coll states that it is not possible to report definitely the special reasons for charging higher rate of rent in respect of the Inspection bungalow at Kamalapuram for occupation by persons other than govt officials on duty. He however reports that the bungalow enjoys the special amenity of being adjacent to the Hampi ruins which attract many visitors of means from all over India and the higher rate appears to be justified as a matter of supply and demand. Orders are solicited on the notes at Ht 3-4 f.

This work by the clerk is illegible & worse since it is a waste of everyone's time to read it. This prescription is strictly forbidden

IV
22/12
[illegible]
24/12 The point at issue is whether the Collr can, under rule 5 g Appx. VI A of the P.W.D. Code, fix for special reasons, different rates for occupation of an inspection bungalow (i) by a Govt. officer and (ii) by the public. The Collr's special reason for continuing the higher rate for

1207/Book No 24.

for the occupation of the Kaufmann bungalow is that it is adjacent to the Hamidiya Road and attracts many motors & means from all over India while this special reason may or may not justify the increase in the rate, there is no rule under which the Collr can make a distinction between the Govt officers & the public in the matter of the rates. The Collr may therefore be asked to fix a single set of rates applicable to both Govt officers and the public and the Chief Engineer informed of the action taken. A copy of the Bd's Resolution may also be marked for the CE

Mr Li appd
4/11
Approved
Rs 7/

M

S
23/7/26

1A

To 1A

Draft to the collr is submitted below for approval

2) The following D.O. reply to the C.E may also be approved. It will be typed in continuation of this note at p 2 of and sent to him

Jr
28/7/26

The Board considers

that there is no rule under which the collr. can make a distinction between the govt. officers and the public in the matter of ~~the fixation~~ changing of rent for the occupation of ~~the~~ inspection bungalows ~~at the below~~ the collr. is being asked to fix a single set of rates for the bungalow at Kambalapuram applicable to both the govt. officers and the public.

PV
14/1
WS
14/1

16.1.87

To the C.E (B+R)
w.o. with Pth 1-6 & f 1-2 nf

CD

Please keep copy Pth 1-6 cy & f 1-2 nf

WS
14/1

16.1.87